IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

CHAMBER SUMMONS NO.766 OF 2006
IN
SUIT NO.1029 OF 1987

Dr.(Miss) Charulata Chaturbhai Patel. ...Plaintiff.
Vs.
Dilip M. Doshi. ...Defendant.

....

Mr. Vaibhav Mehta i/b. Divyakant Mehta for the Plaintiff.
Ms.Sonal i/b. Satpute & Co. for the Defendant.

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**CORAM : DR.D.Y.CHANDRACHUD, J.**

**July 27, 2006.**

**P.C.**

In the affidavit in support of the Chamber Summons, it has been averred that a Written Statement was in fact, declared on 29th September 1989, but has remained to be filed through inadvertence. In the meantime, by an interim order dated 3rd August 1987, the Defendant was directed to deposit an amount of Rs.500/- per month as compensation. Counsel appearing on behalf of the Defendant has stated that the Defendant is ready and willing to furnish an additional Bank Guarantee of the amount of Rs.5 lakhs to the satisfaction of the Prothonotary & Senior Master to be kept alive during the pendency of the suit. In view of the

aforesaid statement, Counsel appearing on behalf of the Plaintiff has not opposed the Chamber Summons. The Chamber Summons is made absolute in terms of prayer clauses (a) and (b), conditional on the applicant furnishing Bank Guarantee in the amount of Rupees five lakhs of a Nationalised Bank to the satisfaction of the Prothonotary & Senior Master. The Bank Guarantee shall be furnished within three weeks and shall be kept alive during pendency of the suit. Written Statement is taken on record.

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